

**Enrolled Minutes of the Seventy Third Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Special Meeting
Monday, October 15, 2018**

The Special Meeting of the Highland Town Council was called to order at 6:36 p.m. at the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers. The Town Council President, Mark A. Herak, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with the Town Council President leading the Pledge of Allegiance to the Flag of the United States of America.

Roll Call: Present on roll call were Councilors Bernie Zemen, Dan Vassar, Mark Herak, Steve Wagner, and Konnie Kuiper. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Officials Present: John M. Bach, Public Works Director; and Kathy DeGuilio-Fox were also present.

Additional Officials Present: Larry Kondrat, Board of Waterworks Directors; and Ed Dabrowski, IT Consultant (contract) were also present.

Special Orders:

1. **Adoption Hearing of the Proposed Fiscal Year 2019 Budget of the Sanitary District, pursuant to IC 6-1.1-17-20.** *Under amendments to IC 6-1.1-17-20, the proper officers shall submit the proposed budget and property tax levies to the municipal fiscal body. The proposed budget and levy shall be submitted to the city or town fiscal body in the manner prescribed by the department of local government finance before September 2 of a year. The fiscal body of the city, town, or county (whichever applies) shall review each budget and proposed tax levy and adopt a final budget and tax levy for the taxing unit. The fiscal body may reduce or modify but not increase the proposed budget or tax levy. The final adoption vests with the Town Council. The Town Council will now take final action at this meeting of October 15, 2018.*
- (a) **Verification of Publication:** *(Under latest law, no publication by unit just by Department of Local Government Finance online Gateway. The proposed components of budget must be submitted to the Gateway at least 10 days before the Preliminary Hearing. The proposed budget notice was filed with the Gateway on September 13, 2018. Preadoption hearing was conducted at the Town Council meeting of Monday, September 24, 2018.) (See IC 6-1.1-17-3).*

The Clerk-Treasurer reminded the Town Council of the law regarding publication and verified the publication of the proposed budget was submitted to the Gateway on September 13, 2018.

- (b) **Memorandum regarding Taxpayer remonstrance petition.** The Clerk-Treasurer prepared and filed a memorandum reporting that the deadline for filing a remonstrance petition was October 1, 2018. He further reported that no petition was filed on that date or any day since. The Clerk-Treasurer explained the reductions both to the 2018 budget as well as to the proposed 2019 budget that were determined by the Department Head.
- (c) **Public Hearing.** The Town Council President called the hearing to order. There were no comments. The hearing was closed.
- (d) Consideration of **Proposed Enactment No. 2018-41:** An Enactment Reducing Appropriations in the Annual Budget for The Sanitary District Administration Department of the SANITARY DISTRICT SPECIAL OPERATING FUND, pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

Councilor Zemen introduced and moved the consideration of Enactment No. 2018-41 at the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Zemen moved the passage and adoption of Enactment No. 2018-41 at the same meeting of its introduction. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

TOWN of HIGHLAND
 APPROPRIATION ENACTMENT
 Enactment No. 2018-41

AN ENACTMENT REDUCING APPROPRIATIONS in the ANNUAL BUDGET for The Sanitary District Administration Department of the SANITARY DISTRICT SPECIAL OPERATING FUND, PURSUANT TO I.C. 6-1.1-18, I.C. 36-5-3-5, ET SEQ.

WHEREAS, It has been determined that it is now necessary to further reduce appropriations from what was appropriated in the annual budget for the **Sanitary District Administration Department of the SANITARY DISTRICT SPECIAL OPERATING FUND**;

WHEREAS, It has been determined that owing to a refund to a single significant commercial retail taxpayer and the impact of the circuit breaker credits the proper officers have been reliably advised that there will be a significant, decrease in property taxes fixed and in the course of collection for FY 2018, all pursuant to I.C. 6-1.1-17 et seq.;

WHEREAS, It has been determined that such diminished and reduced appropriations as may be approved by this enactment, will neither increase nor decrease the levy set under I.C. 6-1.1-17 and in the course of collection for FY 2018, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following appropriations of money are hereby *reduced and ordered returned and reverted to the funds herein* named and for the purposes herein specified, subject to the laws governing the same:

SPECIAL SANITARY DISTRICT OPERATING FUND:

Sanitary District Administration Department

Reduce Accounts:	
Acct. 40-0014-31001 Legal Fees:	\$ 10,000.00
Acct. 40-0014-31002 Engineering Fees:	\$ 5,000.00
Acct. 40-0014-31003 Consultant Fees:	\$ 5,500.00
Acct. 40-0014-31004 Tuition and Training:	\$ 1,000.00
Acct. 40-0014-32004 Travel Expense:	\$ 1,000.00
Acct. 40-0014-39010 Information Tech Fund:	<u>\$ 15,600.00</u>
Total Reduction to 300 Series:	\$ 38,100.00

Reduce Account:	
Acct. 40-0014-43001 Vehicles:	<u>\$ 12,000.00</u>
Total Reduction to 400 Series:	\$ 12,000.00

Total Reduction for the Fund: \$ 50,100.00

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these reductions be depicted in the proper documentation accompanying the filing of the Year 2019 Budget, pursuant to IC 6-1.1-17, if necessary.

Section 3. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 15th day of October 2018. Consent to consider this enactment on same day or at same meeting of introduction sustained a vote of 5 in Favor and 0 opposed, pursuant to IC 36-5-2-9.8.

Duly Passed and Adopted this 15th Day of October 2018, by the Town Council of the Town of Highland, Indiana. Having passed by a vote of 5 in favor and 0 opposed, with a duly constituted enactment, all pursuant to I.C. 36-5-2-9.6; I.C. 36-5-3-5; I.C. 36-5-4-2.

**TOWN COUNCIL of the TOWN of
 HIGHLAND, INDIANA**

/s/Mark A. Herak, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
 Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

(e) Consideration of **Introduced Ordinance No. 1685**: An Ordinance of Appropriations and Budget Levies and Rates for the 2019 Budget. *Councilor Vassar* introduced the ordinance at the meeting of Monday, September 24, 2018. There was no further action

Councilor Vassar moved to pass and adopt introduced Ordinance No. 1685. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Ordinance was adopted.

**Town of Highland
 Ordinance No. 1685**

TOWN OF HIGHLAND, LAKE COUNTY, INDIANA

AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES OF THE SANITARY DISTRICT OF THE TOWN OF HIGHLAND,
 LAKE COUNTY, INDIANA

BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. Pursuant to the provisions of IC 6-1.1-17-20 (e), the Town Council of Highland hereby finds and determines the following:

(A) That the Sanitary District is a political subdivision, whose governing body, the Board of Sanitary Commissioners is comprised entirely of non-elected, appointed officials;

(B) That the assessed valuation of the **Sanitary District** is entirely contained within and is both coterminous and coextensive with the boundaries of the Corporate Town of Highland;

Section 2. That for the expenses of the **Sanitary District of the Town of Highland** for the year ending December 31, 2019, the sums herein specified as **adopted** are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided by law;

Section 3. That in addition, for the purposes of raising revenue to meet the necessary expenses of the **SANITARY DISTRICT** of the **TOWN OF HIGHLAND**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds are incorporated by the signing of this form and must be completed and submitted in the manner prescribed by the Department of Local Government Finance;

Section 4. This ordinance shall be in full force and effect from and after its passage and approval by the Town Council of the Town of Highland, subject to its review and approval by the Department of Local Government Finance.

Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Not to exceed Tax Rate
Special Sanitary General	\$ 2,369,491	\$ 380,241	0.0497
Special Sanitary Debt Service	\$ 2,517,971	\$ 5,045,477	0.6600
Special Sanitary Debt Service Exempt from Circuit Breakers	\$ 153,658	\$ 323,690	0.0423
	\$ 5,041,120	\$ 5,749,408	\$ 0.7521

Introduced and Filed on the 24th day of September 2018. Consideration on First Reading not entertained, pursuant to I.C. 6-1.1-17-3(a); I.C. 6-1.1-17-5(a)(8) and I.C. 36-5-3-4.

Duly Ordained and Adopted this 15th Day of October 2018 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
 HIGHLAND, INDIANA**

Having Voted in the Affirmative:

Having Voted in the Negative:

- /s/Mark A. Herak, President
- /s/Bernie Zemen
- /s/Dan Vassar
- /s/Steve Wagner
- /s/Konnie Kuiper

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
 Town Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

Sanitary District Special Operating Fund
(Departmentalized)

<i>Operating Department</i>	<i>Proposed</i>	<i>Final Approval</i>
Personnel Services \$	87,392	\$ 87,392
Supplies \$	450	\$ 450
Other Services & Charges \$	91,170	\$ 60,070
Capital Outlays \$	15,000	\$ 15,000
Departmental Total:	\$ 194,012	\$ 162,912
<i>Sanitation and Waste Department</i>	<i>Proposed</i>	<i>Final Approval</i>
Personnel Services \$	423,282	\$ 423,282
Supplies \$	39,050	\$ 39,050
Other Services & Charges \$	1,744,247	\$ 1,744,247
Capital Outlays \$-	-	\$-
Departmental Total:	\$ 2,206,579	\$ 2,206,579
PROPERTY TAX CAPS	\$ 100,000	\$ -
Fund Total:	\$ 2,500,591	\$ 2,369,491
Adopted (est.) Rate for the Fund	\$ 0.0636	per \$100 dollars of av
Final (Est.) Rate for the Fund	\$ 0.0497	per \$100 dollars of av

Sanitary District Bond and Interest Fund

	<i>Proposed</i>	<i>Final Approval</i>
Personnel Services	\$-	\$-
Supplies	\$-	\$-
Other Services & Charges	\$ 1,875	\$ 1,450
Debt Service	\$ 2,516,521	\$ 2,516,521
Fund Total:	\$ 2,518,396	\$ 2,517,971
Adopted (est.) Rate for the Fund	\$ 0.6601	per \$100 dollars of av
Final (Est.) Rate for the Fund	\$ 0.6600	per \$100 dollars of av

Sanitary District Bond and Interest Exempt Fund

	<i>Proposed</i>	<i>Final Approval</i>
Personnel Services	\$-	\$-
Supplies	\$-	\$-
Other Services & Charges	\$ 400	\$ 400
Debt Service	\$ 153,258	\$ 153,258
Fund Total:	\$ 153,658	\$ 153,658
Adopted (est.) Rate for the Fund	\$ 0.0423	per \$100 dollars of av
Final (Est.) Rate for the Fund	\$ 0.0423	per \$100 dollars of av

Total of All San Dist Funds: \$ 5,172,645 \$ 5,041,120

2. **Adoption Hearing of the Proposed Fiscal Year 2019 Budget of the Waterworks District, pursuant to IC 6-1.1-17-20.** *Under amendments to IC 6-1.1-17-20, the proper officers of the special taxing district shall submit the proposed budget and property tax levies to the municipal fiscal body. The proposed budget and levy shall be submitted to the city or town fiscal body in the manner prescribed by the department of local government finance before September 2 of a year. The fiscal body of the city, town, or county (whichever applies) shall review each budget and proposed tax levy and adopt a final budget and tax levy for the taxing unit. The fiscal body may reduce or modify but not increase the proposed budget or tax levy. The final adoption vests with the Town Council. The Town Council will now take its final action at this meeting of October 15, 2018.*

(a) **Verification of Publication:** *(Under latest law, no publication by unit just by Department of Local Government Finance online Gateway. The proposed components of budget must be submitted to the Gateway at least 10 days before the Preliminary Hearing. The proposed budget notice was filed with the Gateway on September 13, 2018. Preadoption hearing was conducted at the Town Council meeting of Monday, September 24, 2018. (See IC 6-1.1-17-3)*

The Clerk-Treasurer reminded the Town Council of the law regarding publication and verified the publication of the proposed budget was submitted to the Gateway on September 13, 2018.

(b) **Memorandum regarding Taxpayer remonstrance petition.** The Clerk-Treasurer prepared and filed a memorandum reporting that the deadline for filing a remonstrance petition was October 1, 2018. He further reported that no petition was filed on that date or any day since.

(c) **Public Hearing.** The Town Council President called the hearing to order. There were no comments. The hearing was closed.

(d) Consideration of **Introduced Ordinance No. 1686:** An Ordinance of Appropriations and Budget Levies and Rates for the 2018 Budget. *Councilor Zemen*

introduced the ordinance at the meeting of Monday, September 24, 2018. There was no further action.

Councilor Vassar moved the passage and adoption of introduced Ordinance No. 1686. Councilor Wagner seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

Town of Highland
Ordinance No. 1686

TOWN OF HIGHLAND, LAKE COUNTY, INDIANA

AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES OF THE WATERWORKS DISTRICT OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA

BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. Pursuant to the provisions of IC 6-1.1-17-20 (e), the Town Council of Highland hereby finds and determines the following:

(A) That the Waterworks District is a political subdivision, whose governing body, the Board of Waterworks Directors is comprised entirely of non-elected, appointed officials;

(B) That the assessed valuation of the **Waterworks District** is entirely contained within and is both coterminous and coextensive with the boundaries of the Corporate Town of Highland;

Section 2. That for the expenses of the **Waterworks District of the Town of Highland** for the year ending December 31, 2019, the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided by law;

Section 3. That in addition, for the purposes of raising revenue to meet the necessary expenses of the **WATERWORKS DISTRICT** of the **TOWN OF HIGHLAND**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds are incorporated by the signing of this form and must be completed and submitted in the manner prescribed by the Department of Local Government Finance;

Section 4. This ordinance shall be in full force and effect from and after its passage and approval by the **Town Council** of the Town of Highland, subject to its review and approval by the Department of Local Government Finance.

Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Not To Exceed Tax Rate
Special Waterworks District Debt Service	\$ 151,952	\$ 284,380	0.0372
	\$ 151,952	\$ 284,380	\$ 0.0372

Introduced and Filed on the 24th day of September 2018. Consideration on First Reading not entertained, pursuant to I.C. 6-1.1-17-3(a); I.C. 6-1.1-17-5(a)(8) and I.C. 36-5-3-4.

Duly Ordained and Adopted this 15th Day of October 2018 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of HIGHLAND, INDIANA

Having Voted in the Affirmative:

Having Voted in the Negative:

/s/ Mark A. Herak, President

/s/ Bernie Zemen

/s/ Dan Vassar

/s/ Steve Wagner

/s/ Konnie Kuiper

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
 Town Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

Waterworks District Bond and Interest Fund

	<i>Adopted</i>	<i>Final Approval</i>
Personnel Services \$	-	\$ -
Supplies \$	-	\$ -
Other Services & Charges \$	-	\$ -
Debt Service \$	151,952	\$ 151,952
Fund Total: \$	151,952	\$ 151,952
Adopted (est.) Rate for the Fund \$	0.0372	per \$100 dollars of av
Final (Est.) Rate for the Fund \$	0.0372	per \$100 dollars of av

A Reminder was provided regarding Civil Town: Pursuant to IC 6-1.1-17 et seq., consideration of the proposed ordinance for adoption cannot take place sooner than ten (10) days following the pre-adoption hearing. Consideration for passage and adoption of the Proposed Ordinance regarding the Civil Town of Highland will be at the regular meeting of the Town Council, **Monday, October 22, 2018 at 7:00 p.m.**

Adjournment. There being no further business for the special meeting, Councilor Vassar moved to adjourn. Councilor Wagner seconded. Upon a vote *viva voce*, the Special meeting of the Town Council of Monday, October 15, 2018 adjourned at 6:53 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
 Clerk-Treasurer